

Message Text

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TO SECSTATE WASHDC 9049

INFO AMEMBASSY DAR ES SALAAM

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: SHUM SGEN

SUBJ: HUMAN RIGHTS--US CONTRIBUTION TO STUDY ON EXPLOITATION
OF LABOR THROUGH ILLICIT AND CLANDESTINE TRAFFICKING

REF: A. USUN A-1666(DEC 5, 1973)

B. USUN 4393

C. STATE 239198

D. USUN A-1622(DEC 22, 1974)

DAR ES SALAAM FOR AMBASSADOR CARTER

1. REF (A) FORWARDED REQUEST FOR INFORMATION FROM USG ON QUESTION
OF EXPLOITATION OF LABOUR THROUGH ILLICIT AND CLANDESTINE TRAF-
FICKING FOR USE IN PREPARATION OF A STUDY BY SPECIAL RAPPORTEUR,
HALIMA WARZAZI, APPOINTED BY SUB-COMMISSION ON THE ELIMINATION OF
DISCRIMINATION AND PROTECTION OF MINORITIES. SUB-COMMISSION DIS-
CUSSED SUBJECT AT ITS 27TH SESSION IN AUGUST 1974 AND INSTRUCTED
MRS. WARZAZI TO COMPLETE AND SUBMIT HER STUDY TO 28TH SESSION OF
SUB-COMMISSION NEXT AUGUST.

2. SYG HAS REQUESTED THOSE GOVERNMENTS WHICH HAVE NOT YET DONE
SO TO PROVIDE BY FEB 28, 1975 INFORMATION THAT RAPPORTUER REQUIRES
TO DISCHARGE THIS RESPONSIBILITY. THIS SECOND REQUEST IN FORM
OF NOTE VERBALE WAS FORWARDED TO DEPT UNDER COVER OF REF (B).
NOTE VERBALE ANNEXES TABLE OF CONTENTS OF RAPPORTEUR'S PRELI-
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MINARY STUDY (TEXT BELOW). WHILE MISSION REALIZES THAT ORIGI-

NAL REQUEST WAS SO BROAD AS TO BE SOMEWHAT DIFFICULT TO GRAPPLE WITH, ANNEXED TABLE OF CONTENTS SHOULD MAKE TASK OF AGENCIES RESPONSIBLE FOR REPLYING TO SYG'S REQUESTS MUCH SIMPLER.

3. PART ONE, I. INTERNATIONAL STANDARDS, DOES NOT REQUIRE INPUT FROM NATIONAL GOVERNMENTS. PART ONE, II. ANALYTICAL SUMMARY OF INFORMATION, SPECIFICALLY RELATES TO INDIVIDUAL COUNTRY SITUATIONS AND APPEARS TO REQUIRE IN US CASE CONTRIBUTION FROM IMMIGRATION AND NATURALIZATION SERVICE, AS WELL AS LABOUR DEPT. PART TWO, QUESTIONS RELATING TO THE TREATMENT IN THE HOST COUNTRY OF MIGRANT WORKERS RECRUITED IN AN ILLICIT MANNER, DEALS WITH ISSUES WITHIN COMPETENCE OF DEPT OF LABOR, EXCEPT FOR VIII, CIVIL RIGHTS OF MIGRANT WORKERS, INCLUDING THE RIGHT TO AN EFFECTIVE REMEDY, AND IX, CONDITIONS OF RESIDENCE OF MIGRANT WORKERS AND THEIR RIGHT NOT TO BE ARBITRARILY EXPELLED FROM THE TERRITORY OF THE HOST STATE, BOTH OF WHICH APPEAR TO REQUIRE CONTRIBUTIONS FROM OTHER AGENCIES AS WELL.

4. USG'S REPLY TO ORIGINAL REQUEST AS PREPARED BY LABOR DEPT CONSISTED OF USG'S REPLY TO ILO QUESTIONNAIRE ON REPORT VII (1), WHICH WAS SENT UNDER COVER OF DEPT'S A-9318 OF DEC 20, 1974 WITH REQUEST THAT IT BE FORWARDED TO SYG AS BEING OF POSSIBLE INTEREST TO THE RAPPORTUER. ALL QUESTIONS IN THE QUESTIONNAIRE, EXCEPT FOR QUESTION 24, APPEAR TO DEAL EXPLICITLY (I.E., "IMMIGRANTS LAWFULLY WITHIN THEIR TERRITORY") OR IMPLICITLY WITH LEGAL MIGRANTS. OUR REPLY TO THE QUESTIONNAIRE DOES NOT, THEREFORE, RESPOND FULLY TO SYG'S REQUESTS FOR INFORMATION ON CLANDESTINE AND ILLEGAL WORKERS.

5. INTEREST IN PROBLEMS OF MIGRANT WORKERS, LEGAL AND ILLEGAL, IS GROWING IN UN BODIES NOW THAT MANY LABOR-RECEIVING AND SUPPLYING COUNTRIES ARE UNDERGOING ECONOMIC RECESSION. RESES ON SUBJECT INTRODUCED BY MEXICO DURING 29TH GENERAL ASSEMBLY AND BY ITALY IN RECENTLY CONCLUDED COMMISSION FOR SOCIAL DEVELOPMENT WERE ADOPTED UNANIMOUSLY. US IS, OF COURSE, MAJOR RECEIVING COUNTRY FOR BOTH LEGAL AND ILLEGAL IMMIGRANTS AND MISSION FEARS THAT OUR FAILURE TO RESPOND FULLY TO REQUEST FOR INFORMATION ON SUBJECT OF CLANDESTINE LABOR MAY BE MISINTERPRETED.

6. MISSION NOTES THAT PREPARATION OF REQUESTED MATERIAL WAS UNCLASSIFIED

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BEING ACTIVELY PROCESSED BY LABOR DEPT IN OCTOBER 1974 (REF (C)) AND SUGGESTS THAT DEPT MAY WISH TO OBTAIN PROGRESS REPORT FOR US OF US DEL TO HUMAN RIGHTS COMMISSION IN EVENT THAT SUBJECT ARISES AGAIN DURING 31ST SESSION CONVENING FEB 4 IN GENEVA.

QTE

RELIMINARY STUDY

CONTENTS

INTRODUCTION

A. SUBJECT AND SCOPE OF THE STUDY; SOURCES OF
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B. PLACE OCCUPIED BY INTERNATIONAL MOVEMENTS OF WORKERS IN
THE HISTORY OF THE MAJOR CURRENTS OF MIGRATION

PART ONE: QUESTIONS RELATING TO ILLICIT TRAFFICKING IN MIGRANT
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B. STANDARDS ADOPTED BY THE INTERNATIONAL LABOUR
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C. NATIONAL LAWS AND PRACTICES AND BILATERAL
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IV. RIGHTS RELATING TO SOCIAL SECURITY AND TO AN ADEQUATE
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A. INTERNATIONAL STANDARDS

B. ANALYTICAL SUMMARY OF INFORMATION

VIII. CIVIL RIGHTS OF MIGRANT WORKERS, INCLUDING THE RIGHT
TO AN EFFECTIVE REMEDY

IX. CONDITIONS OF RESIDENCE OF MIGRANT WORKERS AND THEIR
RIGHT NOT TO BE ARBITRARILY EXPELLED FROM THE
TERRITORY OF THE HOST STATE

A. INTERNATIONAL STANDARDS

B. ANALYTICAL SUMMARY OF INFORMATION UNQTE
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